

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION

Civil Action No. 07 CV 965

FATBOY USA, LLC,)
)
Plaintiff,)
)
v.)
)
PIETER SCHAT, SCHAT IMPORT)
AGENCIES, INC. and SITTING BULL,)
GMBH,)
)
Defendants.)

ANSWER OF DEFENDANT SITTING BULL, GMBH

Defendant Sitting Bull GmbH ("Sitting Bull"), by and through counsel, for its
Answer to Plaintiff's Complaint states as follows:

1. It is admitted that the Complaint purports to assert various claims for relief, including those identified in this paragraph. It is specifically denied that Plaintiff states such claims for relief or that Plaintiff is entitled to any relief pursuant to such claims. All further allegations in this paragraph are denied.
2. This paragraph calls for legal conclusions to which no response is required. To the extent any response is required to the allegations in this paragraph, the allegations in this paragraph are denied.
3. This paragraph calls for legal conclusions to which no response is required. To the extent any response is required to the allegations in this paragraph, the

allegations in this paragraph are denied.

4. This paragraph calls for legal conclusions to which no response is required. To the extent any response is required to the allegations in this paragraph, the allegations in this paragraph are denied.
5. Admitted, upon information and belief.
6. Denied for lack of knowledge or information sufficient to form a belief.
7. Denied for lack of knowledge or information sufficient to form a belief.
8. It is admitted that Sitting Bull, GmbH is a corporate entity organized under the laws of a country other than the United States. All other allegations in this paragraph are denied.
9. Denied for lack of knowledge or information sufficient to form a belief.
10. Denied for lack of knowledge or information sufficient to form a belief.
11. Denied for lack of knowledge or information sufficient to form a belief.
12. Denied for lack of knowledge or information sufficient to form a belief.
13. Denied for lack of knowledge or information sufficient to form a belief.
14. Denied for lack of knowledge or information sufficient to form a belief.
15. Denied for lack of knowledge or information sufficient to form a belief.
16. Denied for lack of knowledge or information sufficient to form a belief.
17. Denied for lack of knowledge or information sufficient to form a belief.
18. Sitting Bull is without knowledge or information sufficient to form a belief with respect to the allegations directed at defendant Schat. It is specifically denied that

Sitting Bull has misused any information or otherwise engaged in improper conduct. All further allegations in this paragraph are denied.

19. Denied.

20. Sitting Bull is without knowledge or information sufficient to form a belief with respect to the allegations directed at defendant Schat. It is specifically denied that Sitting Bull has misused or otherwise engaged in improper conduct. All further allegations in this paragraph are denied.

21. Denied.

22. Denied.

23. Sitting Bull restates its responses to the preceding paragraphs as if the same were fully set forth herein.

24. Denied.

25. Denied.

26. Sitting Bull restates its responses to the preceding paragraphs as if the same were fully set forth herein.

27. Denied.

28. Denied.

29. Sitting Bull restates its responses to the preceding paragraphs as if the same were fully set forth herein.

30. Denied for lack of knowledge or information sufficient to form a belief.

31. Denied for lack of knowledge or information sufficient to form a belief.

32. Denied.

33. Denied.

34. Denied.

35. Denied.

36. Sitting Bull restates its responses to the preceding paragraphs as if the same were fully set forth herein.

37. Denied.

FIRST AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails to state a claim upon which relief can be granted and should be dismissed pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

SECOND AFFIRMATIVE DEFENSE

Any actions taken by Sitting Bull were taken for legitimate business reasons.

This the 31st day of March, 2010.

s/ Jeffrey S. Southerland
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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on the 31st day of March, 2010, he served a true and correct copy of the foregoing document by using the ECF Electronic filing system upon counsel of record in this action as follows:

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/s/ Jeffrey S. Southerland
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